

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6311-Cr-Huck/Brown

UNITED STATES OF AMERICA,

Plaintiff,

vs

CLARENCE LARK, et al,

Defendants.

NOTICE OF SUBMISSION OF
PROPOSED JURY QUESTIONNAIRE

The defendants and the United States hereby submit the agreed upon joint proposed Jury Questionnaire in the above matter. Undersigned counsel and the United States Attorney through Michael Dittoe, have discussed the Questionnaire and reached agreement that the enclosed Questionnaire is appropriate for both sides and would therefore submit it to the Court.

A hearing is presently scheduled for 8:00 a.m. on Tuesday, February 6, 2001 with reference to the Questionnaire. In light of the agreement, counsel for the United States and the defendants would request that the hearing be canceled as moot.

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered by mail this 31st day of January 2001 to all parties on the attached Service List.

Respectfully submitted,

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w/e

SERVICE LIST
UNITED STATES v CLARENCE LARK, et al
CASE NO. 00-6311-Cr-Huck

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PROPOSED JUROR QUESTIONNAIRE
United States of America v. Lark, et al
Case No. 00-6311-Cr-Huck

TO THE PROSPECTIVE JUROR:

The information which you give in response to this questionnaire will be used only by the court and the parties to select a qualified jury. After a jury has been selected, all copies of your response to this questionnaire will be returned to the Clerk of the Court and kept in confidence; under seal. The attorneys are under orders to maintain the confidentiality of any information they learn in the course of reviewing this questionnaire.

Please answer each question as completely and accurately as you can. Your complete written answers will save a great deal of time for the Court, the parties and you. There are no right or wrong answers to the questions. In order to ensure that our answers are not influenced by the opinions of others, **you should fill out the questionnaire by yourself without consulting or talking with any other person.**

You are expected to sign your questionnaire, and your answers will have the effect of a statement given to the court under oath. What is needed is your very best, honest effort to answer the questions contained in the booklet.

If you cannot answer a question because you do not understand it, write "Do not understand" in the space after the question. If you cannot answer because you do not know, write "Do not know" in the space after the question. If you need extra space to answer any question, please use the extra blank sheets of paper included at the end of the questionnaire. Be sure to indicate on the blank page the number of the question you are answering.

If you feel that any question requires an answer which is too sensitive (personal or private) to be included in a public record or discussed in open court, simply write "private" in the left margin next to your answer and the questioning on that topic will be held in private, out of the presence of the other prospective jurors.

The sole purpose of the questionnaire is to encourage your full expression and honesty, so that all parties will have a meaningful opportunity to select a fair and impartial jury to try the issues in this case. Thank you for your full cooperation. It is of vital importance to the Court.

PAUL C. HUCK
UNITED STATES DISTRICT JUDGE

Juror Number: _____ Date: _____
(The number is your summons.)

1. Name: _____
Last _____ First _____ Middle _____

2. Have you ever been known by any other name(s)?

Yes _____ No _____

If yes, what name(s)?

3. Are you: Male _____ Female _____

4. Age: _____

5. Place of Birth:

a. If you were not born in the United States, what year did you come here?

6. In what area of Dade County do you currently live?

a. How long have you lived at your current address?

b. How long have you lived in Dade County?

c. Where did you live before you moved to Dade County?

d. How long did you live there?

7. Do you (check one)?

Own Rent

Live with relatives/friends?

8. Marital status: (If divorced, please check divorced, not single)

Married Live with significant other

Separated Divorced

Remarried Widowed

Never married.

9. If married or living with a significant other, what is that person's native language and birthplace?

10. Do you have any children or step-children?

Yes No

If yes, please state:

<u>Sex</u>	<u>Age</u>	<u>Child living with you?</u>	<u>Level of education?</u>	<u>Occupation</u>

11. Are there any other persons residing in your household besides your spouse (Significant Other) or children?

Yes No

If yes, please state:

<u>Sex</u>	<u>Age</u>	<u>Level of Education</u>	<u>Occupation</u>	<u>His/Her relationship with you</u>

12. What is the highest level of education you completed?

<input type="checkbox"/> Grade School or less	<input type="checkbox"/> Less than 2 years of college
<input type="checkbox"/> Some high school	<input type="checkbox"/> More than 2 years of college
<input type="checkbox"/> High School graduate	<input type="checkbox"/> College graduate
<input type="checkbox"/> Technical or business school	<input type="checkbox"/> Post graduate degree

a. If you attended school after high school, including any trade or vocational schools, please list the type of school, your major area

of study and any certificates or degrees that you received:

13. What was the highest level of education your spouse or significant other completed?

Grade school or less Less than 2 years of college
 Some high school More than 2 years of college
 High School graduate College graduate
 Technical or business school Post graduate degree

a. If your spouse or significant other attended school after high school, including any trade or vocational schools, please list the type of school his/her major area of study and any certificates or degrees that were received:

14. Are you currently

Employed Student
 Unemployed Disabled
 Retired Homemaker

a. If you are now employed:

Name of employer and location of job:

Job Title:

Duties (describe briefly):

How long have you worked at your current job?

b. If you (a) have been with your current employer less than five years or (b) if you checked unemployed, retired, disabled or student, please answer the following questions about last position:

How long were you at this job?

Termination date:

Reason for termination:

Name of employer and location of job:

Job title:

Duties (describe briefly)

15. Is your current job considered management?

Yes No

If yes, how many people do you manage or supervise?

16. Have you ever had a job which was considered management?

If yes, how many people did you manage or supervise?

17. Have you ever owned your own business?

Yes, currently Yes, in the past No

If yes, what type of business?

If in the past, how did you discontinue your business?

18. If you checked married or living with a significant other in question #8, please tell us about the other person:

Is he/she: Employed Student
 Unemployed Homemaker
 Retired Disabled

a. If a student, area of study:

b. If employed, name of employer and location of job:

Job title:

Duties (describe briefly)

Does the job involve management or supervision?

Yes No

If yes, how many people?

How long at current job?

c. If spouse or significant other is retired, unemployed or disabled, please list his/her last job description:

Duties (describe briefly)

How long ago did he/she leave that job?

d. If divorced or widowed, what kind of work did your spouse or partner do?

19. What are or (if retired or deceased) were your parents' occupations?

Mother _____

Father _____

20. Your race or ethnic background?

Hispanic
 African-American
 Caucasian
 Native American
 Asian/Filipino/Pacific Islander
 Other (please specify) _____

21. In terms of your outlook on life, do you usually think of yourself as

very conservative somewhat liberal
 somewhat conservative very liberal
 middle of the road

22. Have you or your spouse ever been in the military, including the reserves, National Guard or ROTC?

Yes No

a. If yes, who (relationship to you):

which branch?

How many years of service?

Rank at time of discharge?

Type of work performed?

b. Have you ever been in the military police or the shore patrol?

Yes No

c. Have you ever had a military disciplinary action taken against you?

Yes No

If yes, please explain the nature and result of the disciplinary action:

Did you receive an honorable discharge?

Yes No

d. Have you ever served on court martial proceedings?

Yes No

If yes, how many times?

In what capacity?

Approximate dates of court martial service?

23. Have you ever had any previous experience as a juror?

Yes No

If yes, please state:

<u>Year</u>	<u>Civil/ Criminal</u>	<u>Federal /State</u>	<u>Type of case?</u>	<u>Reach a Verdict?</u>	<u>If not, why?</u>
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a. Were you ever a foreperson of any of these juries?

Yes No

24. Have you ever served on a federal or local grand jury?

Yes No

If yes, please state the nature of that jury as well as when and where you served:

a. Were you a member of the grand jury that handed down the indictment in this case?

Yes No

25. Have any of your immediate family members ever served on a federal or local grand jury?

Yes No

If yes, who (relationship to you):

Please state the nature of that jury as well as when and where they served:

a. Were they a member of the grand jury that handed down the indictment in this case?

Yes No

26. Do you have any current physical, medical (including difficulty in seeing or hearing) or emotional problems which may make it difficult for you to serve as a juror?

Yes No

If yes, please explain:

27. Is English your native language?

Yes No

a. If no, what is your native language?

Do you understand the English language?

Yes No

Do you speak the English language?

Yes No

Do you read the English language?

Yes No

b. How do you rate your ability to read and speak English?

Very good Good Minimal

c. Do you understand, speak, read and/or write any language other than English?

Yes No

If yes, indicate what other language(s):

28. Do you or any of your family members or close friends serve as officers, directors or active members of any political, social, religious, charitable, volunteer, professional or business organizations: If so, which organizations and what positions are held now or in the past, by whom?

29. In a group of people that you do not know well, how influential would you say you are in getting others to adopt your point of view? (Circle one)

Not at all influential Somewhat influential Extremely influential

1 2 3 4 5 6 7 8 9 10

30. What are your hobbies, major interests, recreational pastimes and spare-time activities?

31. Have you ever signed a petition in order to get something done or something changed?

Yes No

If yes, please explain:

32. Do you or any family members have any bumper stickers on your car(s) or messages on your T-shirt(s)?

Yes No

If yes, what do the bumper stickers or T-shirt(s) say?

33. Please list the TV shows you watch regularly:

34. Do you regularly watch the 6:00 P.M. or the 11:00 P.M. local and/or national news on television?

Yes No

35. Do you watch any of the following programs (check all that apply)?

60 Minutes 20/20 Nightline

Frontline America's Most Wanted

Dateline Other news/docudrama show.

Specify: _____

36. Do you watch court TV?

Yes No

37. What are the last three (3) books you read?

38. Do you read the newspaper:

Daily 2-3 times/week

Occasionally Seldom or never

What newspaper do you read?

39. Please list other newspaper, magazines and/or other print publications you read regularly?

40. Which section of the newspaper do you read first?

41. What kind of movies do you like to watch?

42. Do you follow newspaper, radio and/or TV stories about crime?

Yes No

If yes, do you follow crime stories:

Very closely Occasionally
 Somewhat closely Rarely

43. Do you listen to news or talk radio:

Daily 2-3 times/week
 Occasionally Seldom or never

If yes, what language stations do you listen to most often:

English Spanish Creole
 Other Please specify: _____

What news/talk radio show, if any, do you listen to most often?

Do you have a favorite news/talk radio show host?

If so, who?

44 Do you surf the net? Yes _____ No _____

Where? _____

45. During the past ten years, have you exercised your right to vote?

_____ Yes _____ No

If yes, how often?

Every time I'm eligible

_____ Yes _____ No

National elections only

_____ Yes _____ No

Only if a matter of interest to me is on the ballot

_____ Yes _____ No

46. Have you, or have any of your friends or relatives, ever been an official or employee of the United States Government or of any state or local government

agency or department, including for example, Broward County, Port Everglades or the U.S. Labor Department?

Yes No

If yes, who?

Relationship to you:

What agency or department?

47. Have you ever been in court before, other than for a minor traffic violation?

Yes No

If yes, what were the circumstances?

48. Have you ever been a witness or given a statement in any type of legal proceeding?

Yes No

If yes, briefly describe the circumstances:

49. Have you or anyone in your family ever been a party to a lawsuit?

Yes No

If yes, who (relationship to you)

Were you the party who sued

Or the party who was sued

What type of lawsuit was it and what was the outcome?

50. Have you, a family member or close friend ever been accused of, charged with, or convicted of any crime, or been the subject of a criminal investigation, other than a minor traffic violation?

Yes No

If yes, please state the date, crime, charging authority and the outcome?

If yes, do you feel that you, the family member or friend was justly accused, charged, convicted or investigated?

Yes No

Please explain:

51. Have you or any member of your immediate family ever been audited or had a dispute with any agency or department of the United States Government (including the IRS, INS, Social Security Administration, Veterans Administration, etc.)?

Yes No

If yes, do you believe you were treated fairly?

Yes No

Please explain:

52. Have you, a family member or close friend ever been the victim of any crime?

Yes No

If yes, please describe who was the victim and what the crime was:

a. Was anyone arrested? Yes No

If yes, what was the outcome?

b. If there was a trial, did you testify?

Yes No

c. Were you satisfied with the way law enforcement handled the matter?

Yes No

Please explain:

53. Do you know any private criminal defense attorneys, public defenders, legal Aid lawyers, paralegals, investigators or anyone else involved in criminal defense work?

Yes No

If yes, please list their name(s), the type of legal work they do, where they work and their relationship to you:

54. Do you know any State Attorneys, Assistant State Attorneys, U.S. Attorneys, or Assistant U.S. Attorneys, or any other type of prosecutor?

Yes No

If yes, please list their name(s), the type of legal work they do, where they work and their relationship to you:

55. Has any lawyer, law professor, law student or law firm employee discussed any of his/her work on cases with you?

Yes No

If yes, would this relationship or anything this person has told you cause you to favor either the government or the defendants in this case?

Yes No

If yes, please explain:

56. Have you, your family, neighbors, friends or acquaintances ever been involved in any type of law enforcement (police officer, FBI, DEA, IRS, Customs, INS, etc.) Or protective services (guards, security, investigative) work?

Yes No

If yes, please describe the person, the department by which he/she is employed, and that person's relationship to you.

57. Have you or anyone close to you ever considered law enforcement or protective services as a career?

Yes No

If yes, please explain:

58. Are you a member of any Labor Union? Yes No

Have you ever held office in that Labor Union? Yes No

Have you ever had any difficulty with the officers of your Union?

Yes No

Do you believe that the Labor Union officers do a good job for their members and the public? Yes No

59. Have you as an employer or owner/manager of a company ever had dealings with Labor Unions?

Yes No

60. If the answer to the question 59 is yes, please explain. What feelings are you left with about Labor Unions?

61. As a general matter, do you feel that the Teamsters Union and other Unions are honest organizations?

_____ Yes _____ No

62. Have you ever heard or are you personally acquainted with any of the defendants?

Clarence Lark _____ Yes _____ No

Larry Crenshaw _____ Yes _____ No

William Garcia _____ Yes _____ No

Curtis Newton _____ Yes _____ No

John Gallo _____ Yes _____ No

Ricardo McHorne _____ Yes _____ No

Charlie Hall _____ Yes _____ No

Keith Lampkin _____ Yes _____ No

Lawrence Seymore _____ Yes _____ No

If yes as to any, please explain: _____

63. Before today did you have any information from any source about a legal case involving these persons?

_____ Yes _____ No

If yes, what information have you heard and what is the source?

64. Have you seen, read or heard anything about this case?

Yes No

If yes, please state what you remember reading or hearing about the case.

Have you formed an opinion as to the guilt or innocence of any of the defendants?

Yes No

If yes, what opinion have you formed and on what is it based?

65. Is there anything about what you have seen, read or heard which has caused you to form an opinion as to the guilt or innocence of any of the defendants?

Yes No

If yes, what opinion have you formed and what is it based on?

66. Do you know of any reason why you may be prejudiced for or against the government or for or against the defendants because of the nature of the charges?

67. Do you feel that you would have any problem sitting impartially as a juror in a case where a defendant is of Italian extraction?

Yes No

68. This case involves allegations regarding the importation of narcotics. Do you feel that you would have any problem sitting impartially as a juror in a case where the defendants are charged with narcotics offenses and/or money laundering involving narcotics proceeds?

Yes No

69. Have you or any member of your family ever been addicted to narcotics?

Yes No

If yes, please explain _____

If yes, would this result in your inability to judge a case involving charges of narcotics fairly? Yes No

70. Have you ever been a member of any anti-drug organization?

Yes No

71. Do you regularly read any publications which advocate changes in present laws concerning distribution of adult films and videos?

Yes No

If yes, please identify the publication or publications.

72. Have you ever belonged to or contributed to any organization which advocates changes in the laws regarding adult movies or videos and their distribution?

Yes No

If yes, please identify the organization or organizations

73. Do you feel that you would have any problem sitting impartially as a juror in a case where a defendant(s) and/or witness(es) were employed in the adult movie business?

Yes No

74. Do you believe that you would have any difficulty distinguishing or identifying the evidence which should be attributed to each separate defendant, in accordance with the court's instructions, in a nine (9) defendant case which could last in excess of two months?

Yes No

75. Do you harbor any feelings about union officials that might cause you to be unable to impartially evaluate the evidence presented in this case?

Yes No

Please explain:

76. Do you harbor any feelings about Afro-Americans that might cause you to be unable to impartially evaluate the evidence presented in this case in which the defendants are African-American?

Yes No

77. If you were representing either party in this case, that is, either the Government or the defendant, is there any reason why you would not want to have the case decided by someone with your beliefs, background or frame of mind?

78. Do you know, or are you familiar with, any of the persons listed below:

Assistant United States Attorney Michael Dittoe
 Donald I. Bierman, Esquire
 Paul D. Lazarus, Esquire
 Guy Speigelman, Esquire

____ Reemberto Diaz, Esquire
____ James D. Henderson, Esquire
____ Willian J. Cone, Jr., Esquire
____ Steve Kassner, Esquire
____ Bruce H. Lehr, Esquire
____ Larry Hanfield, Esquire
____ Martin R. Raskin, Esquire

If yes, please identify and state how you are familiar with that person:

79. Have you or any member of your family or friends done business with any of the following:

- A. Crowley American Transport, Inc. _____
- B. Star's Choice _____
- C. Klimaxxx Productions, Inc. _____
- D. The Bitas Group, Inc. _____
- E. Triple J Enterprises, Inc. _____

If yes, please explain:

80. This trial may take up to six weeks. Do you have any serious problem sitting as a juror in a case that may take up to six weeks to complete?

Yes No

If yes, please explain any problems you might have:

81. Other than the possible length of the trial, do you have any other concerns or reservations about sitting as a juror in this case?

Yes No

If yes, what are those concerns or reservations?

82. Has any person talked with you about your possible service as a juror in this particular case or about the jury selection process?

Yes No

If yes, please explain:

83. Can you think of **any** reason why you could **not** be a fair and impartial juror in this case?

Yes No

If yes, explain fully:

84. Do you have any health problems (e.g. eyesight, hearing, emotional, etc.), are you taking medication or do you have any other condition that might affect your concentration during the trial?

Yes No

If yes, describe the health problem(s), medication or other condition and its effect upon you:

Would any such medication or physical impairment make it a hardship for you to sit on the jury?

Yes No

85. Is there anything you can think of that you should bring to the court's attention regarding your service as a juror on this case?

Yes No

If yes, please explain:

86. Have you consulted with anyone in order to complete this questionnaire?

Yes No

If yes, with whom did you consult and why?

87. As a result of filling out this questionnaire, have you formed any opinions about this case?

Yes No

If yes, what are those opinions?

88. Do you have any questions, and if so, what questions do you have?

I declare under penalty of perjury that the answers I have given are true and correct.

Signature

Juror Number

We realize that we have imposed on your time in responding to this questionnaire, and we thank you for your attention and honesty in its completion. We assure you that it will assist the Court in selecting a fair and impartial jury.

Thank you.